

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

PAUL RAYMOND YOUNG,

Plaintiff,

v.

CIVIL ACTION NO. 2:13-cv-31184

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

MEMORANDUM OPINION AND ORDER

Pending before the Court are Plaintiff's Brief in Support of Judgment on the Pleadings, (ECF 10), and Defendant's Brief in Support of Defendant's Decision, (ECF 11). By Standing Order entered on April 8, 2013, and filed in this case on December 11, 2013, this action was referred to United States Magistrate Judge R. Clarke VanDervort for submission of proposed findings and a recommendation for disposition ("PF&R"). (ECF 4.) Magistrate Judge VanDervort filed his PF&R on February 26, 2015, which recommends that this Court deny Plaintiff's Motion for Judgment on the Pleadings, (ECF 10), grant Defendant's Motion for Judgment on the Pleadings, (ECF 11), affirm the final decision of the Commissioner of the Social Security Administration (the "Commissioner"), and dismiss this matter from the Court's docket. (ECF 12.)

The Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of de novo review and the Plaintiff's right to appeal this Court's

Order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not conduct a de novo review when a party “makes general and conclusory objections that do not direct the Court to a specific error in the magistrate’s proposed findings and recommendations.” *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982).

Objections to the PF&R in this case were due by March 16, 2015. To date, no objections were filed.

Accordingly the Court **ADOPTS** the PF&R, **DENIES** Plaintiff’s Motion for Judgment on the Pleadings, (ECF 10), **GRANTS** Defendant’s Motion for Judgment on the Pleadings, (ECF 11), **AFFIRMS** the final decision of the Commissioner, and **DISMISSES** this action from the docket of the Court.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: March 17, 2015



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE